ning parties. The same corr be states, on the authority of the mail carrier between bound grove and Fort Riloy, that nineteen returning the Peak emigrants have been murdered by the In-lens on the Plains since the killing of the chief of the

Primaren, Pa., Nov. 3, 1859.

The brick dwelling attached to St. Paul's cathedral, ocupied by Bishop O'Connor, was partially destroyed by re this morning. Loss about \$2,000; fully insured.

Fires at New Orleans. NEW ORLHANS, Nov. 3, 1859

A fire in Apollo street, to-day, destroyed seven build-sgs. Loss \$4,000.

Another fire on Chippawa street drestroyed half a quare of small buildings. Loss \$1,000.

Oswago, Nov. 3, 1852.

Bickford's chair factory, situated in West Sixth street, in this city, was destroyed by fire last night. It was in-

Markets.

PHILADELPHIA STOCK BOARD.

Stocks firm. Pennsylvania State fives, 93%; Reading Railroad, 19%; Pennsylvania Railroad, 37%.

New URLEAMS, Nov. 2, 1859.

Cotton unchanged: sales to-day 13,000 bales. Freights to Liverpool 6-16d. O Liverpool 9-16d.

NEW ORLEADS, Nov. 3, 1850.

Cotton—Sales to-day, 11,000 baips, at unchanged quotations. Whiskoy, rectified, at 30c. Exchange on London declined % per cent—at 9 a 9% per cent premium. Sight drafts on New York declined % per cent—at % a % per

Cotton—Sales to-day 5,000 bales; market firm at 10%c. for midding.

CRARIMSTON, Nov. 2, 1859.

Cotton firm. Sales for the last two days 5,000 bales.

Balmicon, Nov. 3, 1859.

Balmicon, Nov. 3, 1859.

Bi 33 a \$1 55, red \$1 25 a \$1 30. Corn dull and unsale.

PHILDRIPHIA, Nov. 3, 1859.

Fleur firm, at \$5 25 a \$5 50 for superfine. Wheat dull: sales 3,000 bushels red at \$1 32 a \$1 35, white at \$1 40 a \$1 45.

ALHANY, Nov 3—6 P. M.

Flour in good demand: sales 2,000 bbls. Wheat very quiet, buyers backward.

Barley—Less doing, holders firm: sales 13,000 bushels at 76c. as 80%c. Corn—No sales, Outs not so buoyant: sales 11,000 bushels State and Canada Bast at 42c. a 423%c.

Course Niskey—Sales 100 bbls. At 25%c.

Course of the Sales 100 bbls.

A Rast at 420. a 423.c. Whiskey—sales 100 bols. at 340.

Flour in moderate demand, and ordinary grades a sade easier: sales 1,700 bbls. at \$4 65 a \$4 75 for spring ate, \$4 75 a \$5 for extra lilinois and Wisconsin, 400 a \$4 76 for super Michigan, \$4 90 a \$5 for extra 6.5 a \$5 40 for fair to choice extra Indiana and Ohio, and \$6 a \$6 for double extras. Wheat 10. lower: sales 1,000 bushels No. 2 Chicago spring at 96c.; 15,000 No. 1 0.; 16,000 do. No. 1 Chicago spring, 96c. a 97c.; 12,000 do. No. 1 Milwaukee club, 96c. a 0.; 16,000 do. No. 1 Chicago spring, 96c. a 97c., and 3,000 bushels No. 2 Chicago spring, 96c. a 97c., and 3,000 bushels No. 2 Chicago spring, 96c. a 97c., and 3,000 bushels wheat, 265-5c. Imports—3,000 bbls. flour, 3,000 bushels wheat, 000 bbls. flour, 103,000 bushels wheat, 1,000 bushels wheat, 1000 bushels have the street of the same and the same a

Flour in moderate demand and less firm; sales 1,200 bbls. at \$4 60 a \$4 70 for superfine; \$4 90 a \$5 40 for extra Western; \$5 50 a \$6 00 for double extras and family brands. Wheat dull; sales 8,000 bushels Milwaukee club at 96c. a 97c.; 3,000 bushels No. 1 Chicago spring at 90%c.; 2,000 bushels choice Green Bay club at \$1 03; 2,000 bushels white Canada at \$1 22. Other grains quiet and no sales. Whiskey dull and nominal at 26c. a 25%c. con wheat, and 66c. on flour to New York. Lake imports—13,000 bbls. flour, 19,000 bushels wheat, 4,000 bushels corn, 14,000 bushels barley. Canal exports—500 bbls. flour, 47,000 bushels wheat, 1,000 bushels corn.

Oswsgo, Nov. 3, 1859.

barley. Canal exports—500 bbls. flour, 47,000 bushels wheat, 1,000 bushels corn.

Swego, Nov. 3, 1859.

Flour unchanged; sales small. Wheat held firmly, while buyers generally insist upon a slight concession before coming into the market: sales 6,000 bushels Milwansker club at \$1 03, 13,000 bushels do., slightly damaged, at \$1, and 5,000 bushels red Michigan on private terms. Other grains quiet and without material change in prices. Canal freights firm at 370. on flour and 10c. on wheat to New York. Lake imports—300 bbls. flour, 61,600 bushels wheat, 29,400 bushels barley, 23,000 bushels rye, 1,000 bushels peas. Canal exports—1,550 bbls. flour, 30,000 bushels wheat, 6,800 bushels rye, 3,900 bushels barley.

Canadago, Nov. 2, 1859.

Flour dull. Wheat dull and declined 1c. Sales: 5,500 bushels at \$5c. Corn declining. Oats quiet. Receipts—5,500 bbls. flour, 99,000 bushels wheat, 35,000 bushels corn, 10,000 bushels oats. Shipments—900 bbls. flour, 53,000 bushels wheat, 10,000 bushels corn, 19,000 bushels cats.

Flour steady. Wheat dull and declined Ic. a 20.—at 80c. for club. Corn steady. Oats firm.
TOLKNO, Nov. 3, 1859.
Flour—Sales at \$5 12% for superinc. Wheat—White \$118\fomale. Shipments—6,500 bbls. Hour, 34,000 bushels wheat.

Flour dell. Wheat dull and unchanged. Receipts-000 bbls. flour, 6,600 bushels wheat. Shipments-50-bls. flour, 700 bushels wheat.

this evening, with Gazzaniga and the new tenorperplexed. In any event, a capital performance may be coked for this evening. There is also a long and strong programme out for to-morrow's matinée. The sale of seats

es this morning at all the ticket offices THE DRAYTON PARLOR OPERA .- Mr. and Mrs. Drayto rill give the last of their performances at the Fren tre this week. They appear at the Academy of Music on Saturday morning, and open at Hope Chapel on Tues

Seizure of a Slave Vessel. United States Marshal's office.

Nov. 3 .- Information was received at the Marshal's office that the brig J. P. Hooper, now lying at pier No. 44 East river, had been engaged on a slave voyage, from which she had just returned. The Marshal and two of his deputies, Louis de Angeles and Peter Miller, proceeded to the vessel and took possession of her. It is stated that the J. P. Hooper was fitted out at Charleston, S.C., and went to Havana, theore to Cleafueges and the coast of Africa, where she took in a carge of negroes and landed thom on the south side of Cuba. After landing the blacks there the mate took the vessel into Campoachy, obtained frandulent papers and sailed for New York, where he was dispossessed by a power of attorney sent on from Charleston by the owners. When she was first fitted out she was a schooner, but the mate had her altered to a brigantine, and brought her as such to this port. Her name is in very small letters, and she has been totally divested of her internal fittings as a slaver.

Capt. Payne, of the J. P. Hooper, took passage on board a bark for New York, but died on the voyage. His remains were kept and buried at Staten Island.

Deputy Marshal Miller is now in possession of the slaver. The mate is anxiously looked for, and it is probable the brigantine will be sold for the benefit of the United States government. his deputies, Louis de Angeles and Peter Miller, proceed

The Inspection of Steam Hollers.
THIRD MEETING OF THE COUNCILMEN'S SPECIAL COM-MITTEE—ADDITIONAL VIEWS AND OPINIONS, ETC.

The third meeting of the special committee of the Coun climen appointed to report an ordinance for the appoint ing of inspectors of steam boilers in the city, took place yesterday, Councilman Lambeer in the chair.

JAMES HYAIT thought that the exigencies of public safe by require that persons having charge of boilers should be men of practical experience; that before should be inspected semi-annually, and their strength tested by suita-ble persons by means of hydraulic pressure; that a safe-ky-valve should be attached to every boiler, with provision that it should not be altered or interfered with under heavy penalties; that the supply pipe was not defective, to insure against the possibility of the water rushing from the boiler; that a gauge showing the amount of water in the boiler should be attached to each, and exposed at all simes to public inspection; that when the engineer is made aware of any defect he should immediately check the fire; that heavy fines be charged for interfering with the gauges of boilers; that all persons having charge of boilers be licensed and examined by proper persons; and that a Commission of Engineers for the examination of the candidates for the office of Inspector of Boilers be appointed.

candidates for the office of Inspector of Boilers be appointed.

James Roques, of 421 Broadway, submitted a gauge which always, he alleges, indicates a lack of water in a boiler by whistling; the lower the water falls in the boiler, the louder will be the sound of the whistle.

Ex. Judge Sarms spoke of the danger arising from the explosion of boilers, which he behaved was almost always due to the want of a proper supply of water in them. He argued in favor of appointing suitable persons to take charge of boilers, it being easier to regulate security on this point by means of appointing engineers who know their business well than by imposing fines for apparent the management of boilers and engines.

James E. Corres called the attention of the committee to the influences of electricity in producing explosions, and suggested the propriety of considering the advantages of insulated boilers.

James Hyart considered electricity, or the influence of gases, had nothing to do with explosions of boilers, which and nothing else.

The Caranxan said he expected communications on this

and nothing else.

The Charman said he expected communications on this guiject from several other cities throughout the Union, which he will probably receive prior to the next meeting of the committee. He then adjourned the committee till Thursday next, when the final meeting on the subject will

Court Calendar—This Day.

Supresse Court—Grout.—Nos. 2011, 4454%, 3314, 5378, 5117, 4971, 5829, 4531, 5015, 5735, 5120, 496344

4912%, 2869, 2860, 4671, 5060, 931, 4906, 4991%, 5477. ED STATES DESTRICT COURT.-Nos. 49, 89, 90, 91, 98,

The Brooklyn Water Question.

present time in relation to the water works, and if will therefore be of interest to detail the facts relating to the subject, so that all who read may understand the true

tracted with the city of Brooklyn to build the water works—that portion east of Balseley pond to be an open canal—at the specified price of \$4,200,000 for the whole. In the progress of these works, and on consultation with eminent engineers, such as John B. Jarvis, formerly chief engineer of the Croton water works, John T. Gark, formerly State Engineer, and James P. Kirkwood, chief engineer of the Brooklyn water works, and by the advice of many of the larges property owners of the city, it was decided that the open canal was impracticable from its natural liability to accumulate filth and filling up by the drifting of sand in summer—two and a half feet in depth having been blown in on one occasion—and the drifting of snow in the winter. It was then tetermined by the Commissioners to substitute a closed conduit in place of an open canal. The Commissioners applied to the Commissioners to substitute a closed conduit in place of an open canal. The Commissioners applied to the Common Council under the law of 1887 for their sanction to lacur an expense of \$225,000 for constructing a large conduit; and the was also rejected. An application was atterwards made for authority to expent \$300,000 for asmall round barrelled culvert in place of the large conduit, and this was also rejected. An application was thereupon made to the Logislature by a large number of the promisent taxpayers of the city for authority to change the open canal to a covered conduit, and to extend the distribution throughout the city, in complisme with which the Legislature passed a law authorizing a change from canal to conduit at a cost not exceeding a like amount. This law was passed on the 16th of April, 1859. The Commissioners then contracted with Messrs. Welles & Co., to substitute a closed conduit of the capacity of forty millions of gallons at an increased cost of \$450,000, and also by petition of a large number of property owners for the etheryra and laying down of pipes amounting to some \$200,000 in value, a large portion of which pipe has been delivered and isid.

The Comproller declined to pay the drafts for said increased of the distribution, and also for the increased city where the contraction of t In the progress of these works, and on consultation with eminent engineers, such as John B. Jarvis, formerly chief engineer of the Croton water works; John T. Clark, for

OFFICE BROOKLYN BOARD WATER COMMISSIONERS, S
MOSERS. WELLES & CO., CONTROLORS: Getter U. 21, 1859.

MOSERS. WELLES & CO., CONTROLORS: GETTEREN —Please give us written answers to the following questions:—Om what conditions will you turn over the works west of and including Baiseley's pond, after the same shall have been accepted by the Water Commissioners, and furnish water until such acceptances.

copied by ite water commissioners, and furnish water until
such acceptance?
Also, on what terms will you turn over the same works as
they now are?

President pro tem. Water Commissioners.
JOHN A. DAYTON.

Chairman of Special Committee of Common Council.

Ovince of Welles & Co.,

CONTRACTORS HROOKLYF WATER WORKS,

355 FULTON STREET, BROOKLYF WATER WORKS,

TO THE BOARD OF WATER COMMISSIONERS AND THE COMMITTER OF THE COMMON COUNCIL.

GENTLEMEN—Your letter of the 21st instant was received and
the contents dely noted.

hand the state of the following propositions:—
In suply we make the following propositions:—
Proposition first.—We will finish our accuracy for the construction of the water works and pumping of water, the city paying the professed drafts immediately, and agreeing with us for the amount of compensation for default on the part of the city, on the 5th inst. If we cannot agree upon the amount for such damages, will refer it to disinterested parties for settle-

recut.

Proposition second.—We will relinquish to the city the works west of and including Baiseley's pond if the city will pay the protested drafts under contract of June 30, 1859, and all except one hundred thousand dollars of the retained per centage, which they shall hold for the faithful performance of the finishing of the contracts, and we will release all claims for damages for the default in paymens a on the part of the city on the 5th inst. Paymentate be made at once, and the works turned over to the city immediately, we only retaining the right of access to complete the unfinished portions of the works.

In addition, we submit a third proposition:—
Proposition third.—We will turn over the whole works and

Worss.

In addition, we submit a third proposition—
Proposition third.—We will turn over the whole works and
cancel the contracts with the city, by being paid up in full, the
city retaining in its rands what it would cost us to construct
the work remaining to be done. If we cannot agree upon the
amount to be retained will refer it to the arbitrament provided
for in the contract of June 10, 1886, the city assuming the un
insighed sub-contracts.

The committee made a preliminary report to the Conamount to be retained will refer it to the arbitration provides for in the confract of June 10, 1856, the city assuming the unfinished sub-contracts.

The committee made a preliminary report to the Common Council on Monday night last, and asked for power to enter into negotiations. In order to understand their views more fally the report is herowith appended, together with the resolutions offered as a substitute by Alterman Strong, and which, had they passed, would at once have ended the whole difficulty:—

The Special Committee appointed to confer with the Water Commissioners and the contractors for building the Water Worksin relation to the supply of water for the city of Brooklyn, and also on such other matters in connection therawith as might by them be deemed advisable, begience respectfully to submit to your honorable body the result of such conference, and the conclusions they have arrived at Your Committee have had several interviews with the Commissioners and one of the contractors, and find on the part of both an apparent disposition to deal frankly with this Board, in the premises, and to bring about if possible a harmonious solution of the difficulties which have arrisen, and which have for some time past occasioned great anxiety in the minds of the clitices.

Your Committee deem it their duty, in view of past relations

both an apparent disposition to deal frankly with this Board, in the permises, and to bring about if possible a harmonious solution of the difficulties which have arisen, and which have for some time past ocasioned great anxiety in the minds of the citizens.

Your Committee deem it their duty, in view of past relations between this Board and the Commissioners, to express their regret that the latter have not maintained that regard for the wishes and respect for the opinions of this Board, which we conceive to have been due from every department of the city government toward the Common Council. Bad that body consulted the sentiments of this Board the act of 1859 would not have been enacted, and the difficulties out of which the city is now to be extricated would not have arisen.

The pressant situation of affairs is this—The Comptroller, questioning the constitutionality of the law of 1859 (under which the Commissioners had made contracts for the construction of a condust from Baisslev's pond to the further extremity of the works, besides providing for the pumping of a daily supply of water, and for the lay lay of additional mains in the city, rectued to see books under the law. A Supreme Court that the high, allow hearing argument on both sides, decided that the high, allow hearing argument on both sides decided that the high, allow hearing argument on both sides decided that the high allow hearing argument on both sides, but the contractors will obtain a secretary of the city for damages arising from the suspension of the works, and the citizens will be still exposed to the risk of having the pumping stopped.

The contractors have submitted the following propositions to your commistee, relative of which as they stand, can we advise the Board to accede to. [Are given above.]

That nothing pecuniary can be gained by appealing from Judge Lott's decision to the higher courts appears evident to your commistee. The city decives already a revenue from the supply of water to the city and the city of the conductor of t

The following are the resolutions offered by Alderman strong as a substitute for the resolutions of the com-

Nater.
Resolved, That it is expedient and desirable that the works to far as practically completed should be transferred to the formament Water Board, as provided by Sec. 2 of April 16, Resolved. That in the opinion of this Board, this city lost a real advantage over New York, by the Commissioners charging for the use of water rates equal to the Croton, when a much less rate would have offered an inducement to manufacturers and others, and paid a sufficient income to meet all liabilities; and we, therefore, suggest that immediate steps be taken to establish a reduced schedule of water rates.

Resolved, That we do not believe that the city should be put to any additional expense in flighting the question as to the constitutionality of the act of 1850; and, therefore, abiding by the decision recently made by Justice Lott, of the Supreme Court, we direct that the Mayor, Comptroller and City Clerk execute

and centrer the bonds of the city for the prosecution of the water worth without further delay say illigations. Sent to the water Commissioners for their compliance with the recommendations thereis consisted.

The flast resolution was lost, the second and third were adopted, and the fourth being deciared out of order by the chair (by which those following also fell through), the whole matter was defeated, and the Comptroller tacitly sustained in the positisien he has assumed.

It will thus be seen that all efforts made at negotiation with a view to an amicable adjustment are, therefore, rendered nugatory by the action of the Common Council. The effect will be a stoppage of the supply of water, and the disasters which must necessarily follow will fall heavily upon the city. The effect will be that the city will be rondered liable for large damages under the contracts for the construction of the water works. Nor is this all the expense the city will be subjected to. There are, up to the present time, 6,000 persons who have paid their tax for the year in advance, and are entitled to water for their dwellings, factories, distillories, breweries, ferry boats, &c., &c. Will all those interests rest quiet and contented in full view of the run which stares them in the face? We think not, and are inclined to agree with Alderman Strong, who stated in the Common Council on Monday night that the city would be subjected to twenty-five years of lligation for damages, and the youngest inhabitant now alive would not live to see the end of the difficulty which it would produce.

Thus far the city has received upwards of \$100,000 for water rents, which money is now in the city treasury. If the decision recently delivered by Judge Lott is correct, it evidently leaves the entire control of the water works where it now is, in the hands of the Commissioners, and the Common Council have nothing whatever to dwith it. The Common Council have nothing whatever to dwith it. The Common Council have nothing whatever to dwith it. The Common

THE COMMON COUNCIL SIDE OF THE STORY-CARL TO THE EDITOR OF THE HERALD.

he HERALD of this date was a person in the interest of the Water Commissioners and contractors in Brooklyn on the water question, and were furnished, regardless of and in exist, I would respectfully point them out, and defy proof to the contrary of what is now stated in the article as

false.

The stoppage of pumping water by Welles & Co. was not occasioned by the action of the Common Council on Monday night, but a freak of Welles & Co., to force public opinion and intimidate our citizens and Common Council into an acquiescence of an increase of the original cost of the water works one million of dollars, one-half of which is for a change in the plan, the original of which was fully endorsed in writing before entering into a contract as perfect and complete, not only by Alfred Craven, Consulting, and J. P. Kirkwood, Chief Engineer, but by the whole Board of Water Commissioners, in a communication to the Common Council since the commencement of the canal plan, in which they clearly and expressly state that the canal plan will fully come up to the performance of duty required of it. No danger is apprehended that Welles & Co. will discontinue pumping water long enough to allow our citizens to get out of water, as they would be responsible in damages for a non-compliance with their contract, which should have been completed July, 1859, and turned over to the city, full, ample and complete. The Comptroller did not act under the advice or direction of the Common Council in resisting the isaue of bonds under the act of April, 1859, for an increase of the original cost of the water works and city debt, but solely upon his own judgment (being a lawyer), backed up by the opinions of Amasa J. Parker and John K. Porter, of Albany; Daniel Lord, of New York; Alex. McQue, Corporation Council in real meeting of the Common Council (Oct. 10, 1859) thereafter a resolution was adopted, by a vote of fifteen to three, in the following words:—

Resolved, That the action of the Comproller in refusing to issue bonds and to accept the drafts of the Water Commissioners, under the set of April 16, 1859, is berevly approved.

After the decision of Judge Lott on the mandamus, and at the first meeting of the Common Council (Oct. 10, 1859) thereafter a resolution was adopted, by a vote of fifteen to three, in the following words:—

Resolved, That the action of the Comproller in refusing to issue bonds and to accept the drafts of the Water Commissioners, under the set of April 16, 1859, is be opinion and intimidate our citizens and Common Council into an acquiescence of an increase of the original cost of

quality and plenty of water. The Joint Board budget for taxes in 1850 and 1860 contained full amounts for repairs to wells and pumps, as usual, except the Tenth ward, which had a sufficient amount in the treasury.

The Common Council of Brooklyn do not in any way, directly or indirectly, expend one single dollar in the cost, completion and construction of the water works, neither of the old or new Boards of Water Commissioners, to whom the law has confided the exponditures; but changes cannot be made that will increase the cost unless by the assent of the Common Council being first had and obtained. The Common Council being first had and obtained. The Common Council baye in every instance retured such applications for increase of cost, except one—viz: to cost the water pipes inside, which cost \$3,267 80, as far as used. They protested by resolutions, and through a special committee of their body at Albany, the passage of the act of April 18,1859, which was considerably shown of many of its worst features. Call you this that—

"The public interests are made subservient to the greedy harpies who fatten on the public money. The plunder and rascalley, the schemes of corrupt politicians to put their flagers into the people's treasury, which have rendered the Common Council of New York notorious, have been faithfully copied beyond the East river, and the corporation and officials of the City of Churches bid fair to rival their corporate brothers of this city in accumulating taxation mountains high, for the purpose of making ample provision for themselves while in office."

Allow the public to know how much republican legislation has had to do with the efforts at increased expenditure of the Brooklyn Water Works; how much has been paid at Albany, and how much at Brooklyn. Ask Thurlow Weed how much his recent draft was that was paid through a certain Brooklyn bank, and how much he has had heretofore; also ask how many of the notes of Wells & Co., drawn to the order of thenry C. Murphy (of Lott, Murphy & Vanderbilt), we

robbery and plunder.

A FRIEND OF THE TAX PAYERS.

BROOKLYN, Nov. 2, 1859. A SUPPLEMENTAL COMMUNICATION FROM ALDERMAN

A SUPPLEMENTAL COMMUNICATION FROM ALDERMAN DOUGLASS.

TO THE EDITOR OF THE HERALD.

OFFICE OF THE MERCHANTS 'INSURANCE COMPANY, }

New YORK, Nov. 3, 1859. '

In the communication left last evening on the Brooklyn water editorial, I included in section No. 5, I think, an allusion to drafts on Thurlow Weed and Henry C. Murphy. In publishing it please leave that portion out entirely, and ere long the items may be given you in a different form and reliable. Antielpating the publication of the balance of the communication, I remain, yours,

J. L. DOUGLASS.

The Bloodgood Will Case.
POWERS OF TESTATORS TO LIMIT THE TIME FOR THE
DISPOSITION OF THEIR REAL ESTATE—AN "IRREPRESSIBLE CONFLICT" OF THE PROVISIONS OF A

Before Hon. Judge Mullen, without a Jury.

Nov. 4.—Maria Louise Collins vs. Wm. A. Bloodgood.—
This case, which, in various phases, has been before the Surrogate's Court since 1849, came up for trial in the Su-Surrogate's Court since 1849, came up for trial in the Supreme Court, at special term, for a construction of the will of Abraham Bloodgood, deceased, so far as it respects the disposition of the real estate. The testator died in 1837, leaving a personal estate of between \$100,000 and \$200,000, and real estate, by the will and codioll, which are long and complicated, was given in trust to the executors for his five children, for life, and after their death to their issue, or heirs at law, in case any of them died without issue. Two of the children have died without issue, one has died leaving children. The plaintiff has no children, and he is the acting executor and trustee. The plaintiff has brought this action to obtain a partition of the real estate and a construction of the will. She claims that the defendant, Wm. A. Bloodgood, has no right to hold any part of this property in trust for her, but that it has vested in her in fee, and if not the whole, then that certain portions have so vested. The grounds on which her claim is based are, as argued by her counsel, an "irrepressible conflict" between the provisions of the will and the limitations of the Revised Statutes on the power of testators to restrain the allenation of the title of real estate, said restrain being, as claimed, for more than two lives in being at the time of the death of the testator.

as claimed, for more than two lives in being at the time of the death of the testator.

Counsel on the other side, however, went through the various and complicated provisions of the will, and insisted that there was no such "irrepressible conflict," but on the centrary, that though there might be some doubt and uncertainty as to certain expressions, yet that all could be harmonized consistently with the statutes and contingent and vested remainders.

The counsel are to submit written points to-morrow morning, in addition to the oral argument. This is probably only the first step in the cause towards the Court of Appeals.

The Sunken Steamer Champion. The steamer Croton, which left Gien Core yesterday norming, reports the steamer Champion in the same po-tion as on Wednesday night. Measures had been taken a recover the bodies of those on board of hor. The New

the recover the bodies of those on board of her. The Now Haven, fournel of yesterday says:—

She had on board some twenty five passengers, some of whom were ladies, and what is most deplored, two or whom were ladies, and what is most deplored, two or three are missing. Mr. George Steele, a well known and highly respeciable citizen of New Haven, a fireman by the name of Jackson, and a stranger, whose place of destination was fairhaven. Mr. George R. Hotchkins, of this city, who was on board, says that when he reached the deck, he found the Champion had been struck on her port bow, a little forward of her smoke stack, and badly stove. The passengers were apparently cool in their movements, and were, with two or three exceptions, all transferred to the propelier before the Champion sank. Mr. Stacle was seen on deck after the accident, and went down into the cabin, as is supposed, after some valuables, and its feared was either sufficiented by the steam or drowned in attempting to make his way to the cabin, as nothing was seen of him afterward. During the excitement some one was heard to call for help in or near the engine room, which is supposed to have proceeded from Mr. Jackson, the fireman, who was probably scalded to death. The loss of Mr. Steele will be severely felt by all classes of the community. He was a thorough business man, has always sustained an unblomished reputation, and leaves a wife and four children, whom he left but a day or two since, expecting to meet them as usual on his return from his frequent visits to the metropolis. His family hold an insurance on his life in the Chartor Oak Company, of Hartford, for \$10,000. Charles S. Townley, of this city, was bringing his family, consisting of his wife, two children, mether in law and sister-in-law, to reside here. They lost their furniture, wearing apparel and everything else.

FRANCE, BROADBENTS & CO.,

The Legislature of the State of Delaware, at its last session, having given to France, Broadbeats & Co. a lottery contract for freenty years, we, the undersigned, forumisatoners appointed by the Governor of said State to superintend the drawings of said lottery, the heeeby certify that the following are the numbers drawn this day:—

49, 60, 78, 35, 16, 12, 77, 26, 19, 58, 38, 65, 12, 68, 10, 65, 52, 48, 73, 74, 54, 22, 8, 53, 25, 49. Witness our hands at Wilmington, Del., this day (Thursay), November 3, 1829.

JOHN DALE,
JOHN W. WALKEE,
ALFRED E. WOOTTEN
FRANCE, BROADBENTS & CO.,
Wilmington, Del.

Drawings of the Delaware State Lotteres.—WOOD, EDDY & CO., Managers of the DELAWARE, GEORGIA, RENTGORY AND MISSOURI STATE LOTTERES. T. NOVEMBER 3, 1859.

16, 27, 56, 36, 33, 19, 15, 21, 30, 50, 51, 46, 78, 20.

DELAWARE—CLASS NO. 578, NOVEMBER 3, 1859.
18, 50, 34, 61, 30, 1, 10, 72, 44, 23, 21, 66.

Circulars sent free of expense by addressing WOOD, EDDY & CO., Wilmington, Delaware.

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Emglish Cricketers.—An Imperial Phe-lograph of the "All England Eleven" now on exhibition as BRADY'S Gallery, 643 Broadway, corner of Bieceker street; also a fine stereoscopic view of the cricket ground, with cricket-ers playing. Copies of the stereoscopic view for sale.

Get Your Fall Style Hat of White, 216 Brady's Gallery has Removed fro Broadway to 641 Broadway, corner of Blooker street graphs, Daguerrootypes and Ambrotypes.

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Page's "Venus"

Now on exhibition at the galleries of the

NATIONAL ACADEMY OF DESIGN,

Tenth street, near Broadway.

Ladies' Furs.

We work and the attention of our customers and the publication of our stock of ladies' Furs. LARRY & CO., Leaders and introducers of habions for Gentlemen's Hais, 3, 4 and 5 Astor House.

Children's Caps, GENTLEMEN'S HATS. ALL THE NOVELTIES in Silk and Felt Hats. GENIN, hatter, 507 Broadway. Clothing at Lowest Prices for Cash,

g at lowest prices for cash, Clothing at lowest prices for cash, DRUMGOLD & PROCH'S, 214 Broadway F. Y. S.—Patented November 1, 1859, by BALLOU BAOTHERS, 409 Broadway. All infringements dealt with to the full extent of the law.

The Eureka Celebrated Sewing Ma-shines; p tos \$50; hemmers attached. Office 480 Broadway. Grover & Baker's Noiseless Family Sew 496 BROADWAY, NEW YORK, 182 FULTON STREET, BROOKLYN.

Wheeler & Wilson's Sewing Machines office 505 Broadway, New York. Herring's Patent Champion Fire and burglar proof Safes. 251 Broadway, corner of Murray street, New York.

Barry's Tricopherous is the Best and chapes article for dressing, beautifying, cleaning, curing preserving and restoring the hair. Ladies, try it. Bold by all druggists.

Cristadoro's Hair Dye, Wigs and Tou-pees.—The best in the world, wholesale and retail, and the dye privately applied. No. 6 Astor House.

Batchelor's Hair Dye, Wigs and Tou-pees, the best in the world, surpassing all made. Sold and ap-plied at the manufactory, 23 Broadway. Dr. Kennedy, Proprietor of Kennedy's Medical Discovery, will be at his office, under the Smithsonian House, Bradway (entrance on Houston street), from 1st to 7th inst. All who are afflicted with scrotnia, crysipelas, scald bead, sait rheum, pimples, canker, ulcerated sore legs, or any discases of the skin, are invited to call. Advice gratis.

Rupture Cured by Marsh & Co.'s Radi-cal cure Truss. They also keep silk Elastic Stockings for va-ricose veins, Supporters and Shoulder Braces. Instruments for deformities made to order. No. 2 Yesey street, Astor House, New York.

Mrs. Winslow's Soothing Syrup.—Mrs. Winslow, an experienced nurse and female physician, has a Soothing Syrup for children teething, which greatly facilitates the process of teething, by softening the gums, reducing all inflammation, will allay all pain, and is sure to regulate the lowels. Depend upon it, mothers, it will give rest to your-selves and relief and health to your inflants. Perfectly safe in all cases. Sold everywhere. Price only 25 ceuts per bottle.

Holloway's Ointment.—Nothing is More painful than chapped hands and cracked lips; by rubbing this Ointment well into the hands and lightly smearing the lips at night, all traces of the complaint will disappear before

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5,000,000. Five millions of boxes of BRANDRETH'S PILLS
are sold yearly. The sale steadily increases, and yet thousands
die from colds and fevers, which here Fills could certainly
cure. Brandreth's Pills are simple, but unmatosed for enficacy. How important that we at once secure an advantage
over sickness when it can be had at an outlay of only 25 cents.
Office 294 Canal street, and by all druggists.

Hair.—Its Diseases, Fall. Change of color, their embellishment. The whole treated by GRAND-JEAN, No. 50 Twelfth street, next to Broadway.

Marked.

Bishop—Turner.—In this city, on Monday evening, Oct. 31, at the residence of the bride's sister, by the Rev. Mr. Dobson, of Mortches, L. I., Hallock J. Bishop to Melessa A. Turner, both of the above place.

Long Isiand papers please copy.

Braid—Newman.—On Tuesday, Nov. 1, by Rev. N. Monro, Mr. Grorge Braid to Emma Louisa Newman, all of this city.

Forman—Cox.—On Tuesday, Nov. 1, at Mattituck, L. I., by Rev. James Hamblin, Alexander Forman, of Brooking, to Amelia A., only daughter of Allian Cox, Esq., of Mattituck.

Ginnyers—Hawers—On Wordcooker, Nov. 2, at the

by Rev. James A., only daughter of Allan Cox, Esq., of Mattituck.

Garden A., only daughter of Allan Cox, Esq., of Mattituck.

Garden A., only daughter of Allan Cox, Esq., of Mattituck.

Garden A., only daughter of David Presence of the bride's father, by the Rev. Dr. Hawkes, Robert W. Garden, of this city.

Connecticut and Pittsburg papers please copy.

Hory-Brownell.—On Thursday, Nov. 3, at the residence of the bride's father, by the Rev. Isaac H. Tuttle, John H. Hory to Sarah E., daughter of J. Sherman Brownell, Eq., both of this city.

Percent Nesert.—In Brooklyn, on Tuesday, Oct. 18, by the Rev. Dr. Westley, Mr. Charles Alex. Percent, of Brooklyn, to Florence A., youngest daughter of Captain Nesbitt, of New Haven.

New Haven papers please copy.

Radelf F. Kenther S. A., Younger Captain Nesbitt, of New Haven.

R. Radelff R. W. H. Uther Rev. V. M. Hulbert, Abraha S. Radelff Nov. 1, by the Rev. V. M. Hulbert, Abraha S. Radelff to Jake Ann Kniffen, both of Yonkers.

Williamson.—Sharrot.—In this city, on Thursday, Nov. 1, 3, et S. Anns church, by the Rev. Thos. Gallandet, Jagets S. Williamson, of Gravesend, L. I., to Ann Elizabeth Sharrot of this city.

Christiae Intelligencer and Long Island Star please copy.

Bold.—In Brooklyn, on Thursday, Nov. 5, after a tong and severe iliness, which she bore with Christian britisde, Mary, the wife of John Bold, aged 31 years, a silve of Sotiand.

Her funeral will take place. ve of Scotland. for funeral will take place from her late residence, 28th its street, Brooklyn, this (Friday) afternoon, at two

y'clock.

Edinburg papers please copy.

BOYLE.—In Brooklyn, on Tuesday morning, Nov. 2,

MARTHA BOYLE, daughter of James, deceased, and Mary

A. Boyle.

The friends of the family are respectfully invited to

tteend the funeral, this (Friday) afternoon, at two o'clock.

RESLEW.—Of apoplexy, THOMAS E. BURLEW, in the 39th

roar of his age.

BURLEW.—Of apoplexy, Incass E. Burlew, in the 39th year of his age.

The relatives and friends are respectfully requested to attend the funeral, without further invitation, at the residence of his brother, Richard Burlew, No. 216 Thompson street, this (Friday) afternoon, at one o'clock. His remains will be taken to Greenwood for interment. Carnott.—On Wednesday, Nov. 2, the wife of John Carroll, aged 22 years.

The relatives and friends of the family, and her brothers in-law William and Joseph Carroll, and the members of the County Monahan Social Club, are respectfully invited to attend the funeral, from her late residence, 153 Elizabeth street, this (Friday) afternoon, at two o'clock. Condon.—On Wednesday, Nov. 2, ELLES CONDON.—On Wednesday, Nov. 2, ELLES CONDON, aged 33 years.

merford, corner of Wythe avenue and Ross street, Brooklyn, E. D.

Dassell.—On Wednesday, Oct. 21, at his residence, in Chengwalans, Minnesots, Mr. William T. Dassell, in the dist year of his age.

Gorman.—On Thursday, Nov. 3, Thomas Frances Gorman, and of days.

The relatives and friends of the family are respectfully invited to attend the funeral, this (Friday) afternoon, at one o'clock, from 88 Degraw street, Brooklyn.

Higgins.—On Thursday, Nov. 3, Walthe Higgins, aged 19 years, a native of Westmeath, freland.

The relatives and friends of the family, and also the members of the Coughlin Guard, are respectfully invited to attend the funeral, from his late residence, No. 22 Trinity place, on Sunday afternoon, at two o'clock.

Kayanach.—On Wednesday, Nov. 2, Goorge Kayanach, in the 31st year of his age.

The friends and acquaintances of the family are requested to attend the funeral, this (Friday) afternoon, at half-past one o'clock, from his late residence, No. 96 Hudson street.

MEAD.—In this city, after a long and painful illness, on Wednesday, Nov. 2, Joshua Mrad, aged 61 years.

The relatives and friends are respectfully invited to attend tuneral, this (Friday) afternoon, at one o'clock, from his late residence, No. 283 Third avenue, without further notice.

MCALINDER.—On Thursday, Nov. 3, Mrs. Agnes McAl-

motice.

McALIEFER.—On Thursday, Nov. 3, Mrs. Agnes McAlISFER, of Paisley, Scotland, aged 79 years and 8 months.

Due notice will be given of the funeral on Saturday

Due notice will be given of the funeral on Saturday morning.

McDonald.—On Wednesday, Nov. 2, of disease of the heart, James, son of Angus and Janet McDonald, aged 18 years and 11 months.

The relatives and friends of the family, also the members of Jackson Lödgo No. 5, A. P. A., are respectfully invited to attend the funeral, from the residence of his father, No. 144 West Thirty-lifth street, this (Friday) afternoon, at one o'clock, without further invitation.

McElhinney.—In Brocklyn, on Wednesday, Nov. 2, of consumption, Alexander McElbinney, in the 27th year of his age.

The relatives and friends of the family are remectfully invited to attend the funeral, without further notate, from

consumption, Alexander McEliunner, in the 27th year of his age.

The relatives and friends of the family are remedially invited to attend the funeral, without further notice, from his late residence, No. 181 Adams street, this (Friday) afternoon, at two o'clock.

Londonderry papers please copy.

Newell.—In Brooklyn, on Wednesday, Nov. 2, Frederick W., only son of George and Adeline E. Newell, aged 25 years.

The relatives and friends of his family, also those of his father-in-law, Parmenus Johnson, Esq., are respectfully invited to attend the funeral, this (Friday) afternoon, at two e'clock, from the residence of his father-in-law, 104 Balite street, near Henry.

Binghamton, N. Y., papers please copy.

Parton.—On Thursday, Nov. 3, Jane, wife of J. T. Parton, aged 55 years and 10 months.

Her remains will be taken to Greenwood for interment, from her late residence, 537 Second avenue.

Sannders.—On Wednesday, Nov. 2, Marx, wife of John Samders, aged 36 years.

The friends of the family are respectfully invited to attend the funeral from her late residence, 528 Browne street, this (Friday) atternoon, at two o'clock.

Sarm —On Wednesday evening, Nov. 2, Harxani, widow of Jacob Smith, in the 80th year of her age.

The relatives and friends of the family are respectfully invited to attend the funeral, from her late residence, No. 55 Elm street, this (Friday) afternoon, at one o'clock, without turther invitation.

Therathm.—At Orange, N. J., on Wednesday, Nov. 2, Mattlink Louiss, wife of Paul L. Thebaud, and daughter of A. P. Pillot, in the 22d year of her age.

The funeral will take place at St. Mark's church, in Orange, this (Friday) afternoon, at one o'clock. Cars leave foot of Cortlands street at half past eleven o'clock, and returning leave Orange at four o'clock. Cars leave foot of Cortlands street at half past eleven o'clock, and returning leave Orange at four o'clock.

Wood.—On Wednesday, Nov. 2, Jare Wood, wife of David Wood.

The friends of the family are respectfully invited to attend the funeral, from her

MISCRILLANKOUS.

93 PEABL STREET, N. Y. NEW YORK KEROSENE OIL VERY LOWEST PRICES,

THIS OIL DOES NOT SMOKE WHILE BURNING, UNCHANGEABLE LEMON GOLOR,

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dept of the company.

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A. 1 U. S. PASSPORT'S INSUED THROUGH ENDER signed, COMMISSIONEE OF DEEDS OF ALL THI STATES, duly appointed to take Depositions, Acknowledg ments, &c. Notary Public and Lawyer. CHARGES MODERATE. EDWARD BISSELL, 271 Broadway, corner Chambers street, New York.

AT JONES, 10 AND 11 ANN STREET—SI FREQUENT OF THE STREET O of offering
A WORD OF PRIENDLY CAUTION TO THE PUBLIC.
All persons are hereby strictly fortid making use of the
preparations for the bair known as
MISS TAMZAN RICHARDS' IMPROVED HAIR RESTORATIVE,

MISSTAMZAN RICHARDS IMPROVED HAIR DRESSING, Under the extreme penalty of becoming possessors of romarkably fine heads of the beautiful possessors of remarkably fine heads of all.

Restorative, 50 cents, Dressing, 25 cents.

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THE PUREST AND BEST
KEROSENE
FOR SALE

EIGHTY-PIVE (85) CENTS PER GALLON,

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New York,

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KEROSENE OIL COMPANIES,

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Does not smoke while burning,

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UNCHANGEABLE LEMON COLOR,

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A rival Kerosene house has intimated by advertiseme be oil of the Portland and Boston companies, as soid by deliberated. adulterated. We assert (and are willing to have the matter tested by any chemist) that the above Oil is purerland better than any other Kerosene in market.

The Beston and Portland Companies have the right to use the "Trace Mark of Kerosene," and have advertised to that effect sufficiently long to give any persons opportunity to test that right. The Boston and Portland Companies were pioneers in the manufacture, and have the most complete establishment in the J. H. BRUNDAGE & CO.

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THIS Turpentine, Fireb, Tar. Varnishes, &c., of the beginning and at the lowest prices.

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No. 6 South William street,
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Pine Old Brandy, 54 per gallen.

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SOFT FRENCH TALLOW.

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It is well known that arries is the best thing to allay and inflammation. This is the best thinsent in the world. It and be cured. No. 36 Beckman street. Twenty-five costs. CHAPPED HANDS, PACE, LIPS, &C.—CHAP
Cure.—Heyenan & Oo.'s Camphor Ise with Gips
Chesp, safe and agreeable. Only 35 crusts
HEGENEAN & OO.,
Bout by mall on receipt of 30 cents.

CHAPPED HANDS, SORE LIPS, PACE, AC.,
VONDERSMITH'S CAMPHOR ICE. (Copyright source,
All othershare counterfeit. Depot 188 Bowery, and said by
wholesale and retail druggists. Sentity mail on receipt of 2 OBNS, BUNIONS, INVERTED NAILS, EWLARG incovenience to the patient by Dr. Zacularite Chirodopist, 750 Broadways. Refers to the physicians and a geons of this city.

geons of this city.

LEGANT CARPETS FROM AUCTION.—RNGLISH as
LEGANT CARPETS FROM AUCTION.—RNGLISH as
Rugs, Mats, Druggets and Olicioth. Remnants of Olicioth
half price. 20,000 yards ingrain Carpets at 25c., 30c, 40c, as
50c, per yard.

HIRAM ANDERSON, Bowery, near Hester street.

POUR SECOND HAND SAPES FOR SALE LOW.
QUIEK BROTHERS, 26 Maiden tame.
Also, a large assortment of Wilder's patent Fireproof Safest constantly on hand.

CAYETTYS MEDICATED PAPER
Is obtaining immense patronage and celebrity as an equalised article of comfort. Mone genuins without J. C. Gayetty, N. Y., is water woven in each sheet.
For sale by all druggists and at the depots, 41 Ann street and

GRAHAM'S ONGUENT WILL FORCE THE WI T kers or Mustaches to grow on the smoothest face weeks from the first application, and will not stain or main the skin. Price \$1. Sent by mail post free anywhere.

R. G. GRAHAM, 109 Nassau street, Now York,

HARPER & BROTHERS, 327 to 335 Feart street (Franklin square) Publish this day, WOMEN ARTISTS IN ALL AGES AND COUNTRIES,
By MRS ELLET,
Author of
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12mo., muslin, \$1.

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SCENES AND OHARACTERS,
By "SKIT7"

"Who was rais'd that."

Illustrated by John McLenna,
12mo., muslin, \$1.

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MOUNT VERNON TAXES.—DIPORTANT.—CENTRAL
M West and Rest. Mount Vernon Union Port, Wakestell
Pelhamville, Olinville, &c.—The Salle of lots for unsertases will take place at Albany on November 10, 1859.
Taxes will take place at Albany on November 10, 1859.
Taxes will take place at Albany or November 6, as
Keene's Fourisenth Ward Hotel, for that day only.

JOHN 8, YORKE, General Collecter.

MOBEHEAD'S MAGNETIC PLASTER,
THE GREAT STRENOTHENER
AND PAIN DESTROYER,
A positive antidote to coughs and colds, weakness of the
and all pulmonary affections incident to our changeable of
PAIN CANNOT EXIST WHERE THIS FLASTE
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Udolphe Wolfe's pure Cognac Brandy, in ported and bottled by highest, warranted pure and of the best quality.
The outcomes of New York are respectfully invited to try this Reandy, which, on comparison, will be found superior to any active of the band ever effected for sale in this market. Each with he had be tollowing certificate, and we are requested by Mr. Welfe to state than when the certificate on the bodile is not sufficient be in always willing to make an amdavit that what he says in the certificate is true—

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I hereby certify that the Francy contained in this bottle was imported and bottled by me, with my me on the cork, for medical and pricate use, and is warrant at perfectly pure and of the best quisity.

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